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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**HEATHER JANDA HAY,
individually and on behalf of the
GUCCI AMERICA, INC.
RETIREMENT AND SAVINGS
PLAN n/k/a KERING AMERICAS,
INC. RETIREMENT AND SAVINGS
PLAN,**

Plaintiff,

v.

**GUCCI AMERICA, INC., BENEFIT
PLANS COMMITTEE GUCCI
AMERICA, INC. n/k/a BENEFIT
PLANS COMMITTEE KERING
AMERICAS, INC., KERING
AMERICAS, INC., and DOES NO. 1-
10, whose names are currently
unknown,**

Defendants.

No. 2:17-cv-07148(CCC/CLW)

Civil Action

**NOTICE OF DEFENDANTS'
MOTION TO DISMISS
PLAINTIFF'S COMPLAINT**

Return Date: Jan. 16, 2018

Oral Argument Requested

Electronically Filed

TO: James C. Shah
Shepherd, Finkelman, Miller & Shah, LLP
475 White Horse Pike
Collingswood, NJ 08107-1909

COUNSEL:

PLEASE TAKE NOTICE that on January 16, 2018, at 9:00 a.m., or as soon thereafter as counsel may be heard, Defendants Gucci America, Inc., Benefit Plans Committee Gucci America, Inc. n/k/a Benefit Plans Committee Kering Americas, Inc., Kering Americas, Inc. and Does 1-10 (“Defendants”) will move before the Honorable Claire C. Cecchi, U.S.D.J., of this Court located at 50 Walnut St., Newark, NJ 07102, for an Order dismissing Plaintiff’s claims with prejudice pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

PLEASE TAKE FURTHER NOTICE that, in support of this motion, Defendants shall rely on the accompanying Memorandum of Law and the exhibits attached to the Declaration of Jeremy P. Blumenfeld.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

PLEASE TAKE FURTHER NOTICE that, in accordance with Local Rule 7.1(e)(1), a proposed order is submitted herewith.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

/s/ Jeremy P. Blumenfeld

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Attorneys for Defendants

Dated: December 11, 2017

CERTIFICATE OF SERVICE

I, Jeremy P. Blumenfeld, hereby certify that on the 11th day of December, 2017, I filed the foregoing Defendants' Notice of Motion to Dismiss Plaintiff's Complaint with Memorandum of Law and exhibits using the Court's CM/ECF system, which caused copies of the same to be served via CM/ECF upon the following:

James C. Shah
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475 White Horse Pike
Collingswood, NJ 08107-1909

/s/ Jeremy P. Blumenfeld
Jeremy P. Blumenfeld